

and a group of friends were on the patio of Defendant's resident, Jace Agolli (Apartment #1115) when they were approached by three unknown individuals who robbed them at gun point. The Plaintiff was shot in the abdomen by one of the robbers.

DeCorrey Avery was identified by the police as one of three perpetrators involved in this criminal incident. He was subsequently arrested and charged with multiple criminal acts (including armed robbery, aggravated assault with intent to rob and possession of a firearm during the commission of a felony) in connection with this incident.

John Doe #1 and John Doe #2 are co-perpetrators in this criminal incident. Avery along with the two co-perpetrators robbed and shot Plaintiff. As such, Defendants contend that if the criminal perpetrators are not determined to be entirely at fault, then, at a minimum, fault should be apportioned to Avery and the other two John Doe perpetrators as provided by Georgia law. Defendants will seek such non-party apportionment at the trial of the case.

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